

REMARKS

Favorable reconsideration is respectfully requested in light of the following remarks, wherein Claims 1-4 and 6-8 are amended. Currently, Claims 1-9 are pending in the present application.

As an initial matter, the drawings stand objected to for having blurry lines. As a result, Applicant is providing replacement sheets for FIGS. 1A-5B. Accordingly, withdrawal of the drawing objection is respectfully requested.

Claims 1-7 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,390,730 to *Techy et al.* Claims 3 and 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Techy et al.*

Independent Claim 1 recites a single pass drilling apparatus comprising an elongated drill steel having a leading and a trailing end with reference to a drilling direction. The leading end has a connection portion. A one-piece drill bit is also included and has rock machining means. The drill bit is rigidly connected to the drill steel. A rock bolt is adapted to at least partially enclose the drill steel. The drill bit and the rock bolt are configured to allow the drill bit to pass the rock bolt during retraction of the drill bit.

Independent Claim 1 is amended to recite further features of the present invention. In particular, Claim 1 now recites that the drill bit includes a pilot part and a reamer part and that a center axis of the pilot part is spaced apart from a center axis of the drill steel. See, e.g., FIG. 2A, where the center axis CL3 of the pilot part 14 of drill bit 16 is spaced apart from the center axis CL2 of the drill steel 11. Because of this configuration, a wider drill steel and larger threaded connection between the drill steel 11 and drill bit 16 can be provided, providing a more

robust device. Independent Claim 6 is amended to include similar recitations. None of the art of record disclose these patentable features.

In contrast, *Techy et al.* discloses a drill bit 9 having a pilot part (lower end of the drill bit 9) and a reamer part (upper end of the drill bit 9). With reference to FIGS. 3-5, the drill steel 8 is positioned such that its center axis coincides with the center axis of the pilot part. Accordingly, *Techy et al.* fails to disclose the feature that “a center axis of the pilot part is spaced apart from a center axis of the drill steel”, as now defined in independent Claims 1 and 6.

For at least the foregoing reasons, it is submitted that the single pass drilling apparatus and method of Claims 1 and 6, and the claims depending therefrom, are patentably distinguishable over the applied document. Accordingly, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in resolving any remaining issues pertaining to this application, it is respectfully requested that the undersigned be contacted at the number indicated below.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,

Date: January 27, 2009
DRINKER BIDDLE & REATH LLP
Customer No. 55694
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005-1209
Tel. No.: 202-842-8800
EPS:mk

By:



Elaine P. Spector
Reg. No. 40,116
Attorney for Applicants
Tel. No.: (202) 842-8863
Fax No.: (202) 842-8465